

EXHIBIT 3



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December 4, 2024

Via Email and Hand Delivery

Wayne A. Jacobs
Special Agent in Charge
FBI - Philadelphia Field Office
William J. Green, Jr. Building
600 Arch Street, 8th Floor
Philadelphia, PA 19106
Wayne.Jacobs@ic.fbi.gov

Re: Seizure of “www.waronfakes.com” Domain Name (Case No. 24-mj-1395)

Dear Special Agent Jacobs:

This office represents Timofey V, the registered owner and lawful operator of the domain name, “www.waronfakes.com” (“waronfakes.com”), and ANO Dialog. Pursuant to 18 U.S.C. §983(f)(1), we demand the immediate release of the above domain name, currently being held by your Office. The seizure was executed without proper notice or adequate probable cause and immediate release is warranted as all requirements set forth in §983(f)(1) are met, as detailed below.

I. Lack of Probable Cause

The Department of Justice’s September 4, 2024, seizure of waronfakes.com, along with 31 other domains, rests on remarkably thin evidence connecting our client’s legitimate news analysis website to the alleged "Doppelganger" campaign. The Government’s Affidavit of Probable Cause (the “Affidavit”) discusses waronfakes.com in just two cursory paragraphs (¶¶s 117 & 118) and relies almost entirely on a year-old French government report (the “Viginum Report”) rather than independent investigation.

The Affidavit fails to:

- 1) Identify even one "fake" story aimed at U.S. audiences authored by Timofey V or posted on waronfakes.com;
- 2) Present evidence of any trademark infringement or money laundering activities related to waronfakes.com;

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- 3) Demonstrate any attempt to improperly influence the 2024 U.S. presidential election; or
- 4) Establish that any sanctioned person was involved in the purchase or registration of the domain.

The Government's sole technical "evidence" linking waronfakes.com to other seized domains is an unverified screenshot from a single X (formerly Twitter) user claiming to show a login page redirect. This type of unauthenticated social media content is unreliable and falls well short of establishing probable cause.

II. Legal Operation and Domain Registration

Unlike the other seized domains, waronfakes.com was properly registered to Timofey V in March 2022, using legitimate identification and payment methods. There are no allegations in the Affidavit that the domain was registered using false information or "cybersquatting" techniques. The fact that some articles from waronfakes.com may have been republished on other websites does not constitute probable cause that Timofey V directed or authorized such republication.

III. Substantial Business Impact and Urgency

The seizure of the subject domain is causing severe and ongoing harm to our client's legitimate business operations. Prior to the seizure, waronfakes.com averaged approximately 45,000 daily unique visitors and generated substantial revenue through advertising. The site employed a staff of twelve content creators and technical personnel, all of whom are now unable to perform their duties.

The FBI's seizure banner currently displayed on the domain has created significant ongoing reputational damage, with many regular readers expressing fear of returning to the site even if access is restored. This chilling effect increases with each passing day, making resolving this matter of the utmost urgency.

IV. Procedural Deficiencies

The Government failed to provide Timofey V with proper notice of the domain's seizure as required by U.S.C. §983(a)(1)(A)(i). This procedural deficiency alone warrants immediate return of the domain pending proper proceedings. Furthermore, the Government's speculation about potential future sanctions violations related to domain renewal cannot justify the current seizure under established forfeiture law.

V. Technical Considerations

The subject domain name was and remains registered with VeriSign Global Registry Services, a U.S. company located in Reston, VA. The domain will remain under the control of

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U.S.-based registries and registrars regardless of its operational status. There is no risk that the domain name will be unavailable for future proceedings.

The Government's suggestion that future domain renewal payments might be made by sanctioned persons is purely speculative, and thus cannot serve as a basis to continue retaining the domain.

VI. Request for Immediate Relief

Based on the above, we respectfully request:

- 1) Immediate restoration of the domain to Timofey V's control;
- 2) Removal of the FBI seizure banner; and
- 3) Written confirmation that no further action will be taken against the domain without proper notice and opportunity to be heard.

The Government's seizure of waronfakes.com, based on insufficient evidence, is causing irreparable harm to our client's legitimate business operations. We hope to resolve this matter without the necessity of litigation but are prepared to pursue all available legal remedies if the domain is not promptly restored.

Please contact me at your earliest convenience at SAC@Pietragallo.com or 215.988.1475 to discuss resolution of this matter. Thank you for your prompt attention.

Very truly yours,

/s/ Scott A. Coffina

SCOTT A. COFFINA

cc: U.S. Attorney Jacqueline C. Romero (via email)
Joshua D. Hill, Esquire